

4-32
ORIGINAL

**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

THE VILLAGE OF ROCKTON and
THE COUNTY OF WINNEBAGO

Petitioners,

Vs.

IOWA, CHICAGO & EASTERN RAILROAD
CORPORATION, A DELEWARE
CORPORATION AND THE STATE OF
ILLINOIS, DEPARTMENT OF
TRANSPORTATION, DIVISION OF
HIGHWAYS,

Respondents

Petition for an Order of the Illinois Commerce
Commission directing the construction of a
public grade crossing at IC&E Railroad right of
way in the Village of Rockton, Winnebago
County, Illinois; directing the installation of
automatic flashing light signals and gates
controlled by constant warning time security
and dividing the cost of installation among the
parties.

RECEIVED
FEB 27 2004

Illinois Commerce Commission
RAIL SAFETY SECTION

T02-0105

SUPPLEMENTAL PETITION

1. Respondent, IOWA, CHICAGO & EASTERN RAILROAD CORPORATION,
"Railroad", operates a single main line track in a generally north to south
direction, "Track", through the Village of Rockton, Winnebago County, Illinois.
2. The County owns the Old River Road, which runs adjacent to the Track.
3. An Administrative Law Judge's Proposed Order (T02-0105) dated February 18,
2003 was issued pursuant to the Commission's Rules of Practice (83 Ill. Adm.
Code 200). This Order stated that:

10) The Railroad is required and directed to proceed with the construction of a
full-depth concrete crossing and the installation of automatic flashing light
signals and gates controlled by constant warning time circuitry.

11) The Village of Rockton and the County of Winnebago shall bear the full
cost of the construction of the crossing and highway approaches; cost is

DOCKETED

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*estimated at \$96,280; no monies are requested or forthcoming from the
Grade Crossing Protection Fund of the Motor Fuel Tax Law;*

12) Completion of the project shall be one year from the date of this Order;

4. The original Order required the work to be accomplished by March 18, 2004.

The crossing surface was installed in November 2003, but the weather conditions have been such that we have not been able to locate a contractor to perform the boring required for the signal circuitry. Therefore the Railroad has asked the City for a 90-Day extension of time on the Order and has received a letter of confirmation from the City that they have no objection and it is attached hereto as Exhibit A.

5. The Railroad has also worked on the details with Alliant Energy to permit access to their parcel during construction of its substation by providing flagging protection while Alliant moves their equipment across the railroad tracks.

The Iowa, Chicago & Eastern Railroad asks that the Illinois Commerce Commission respectfully consider this request as reasonable and allow the 90-day extension.

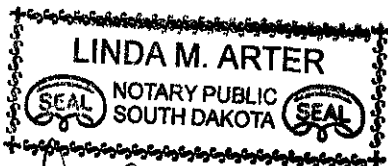
Respectfully Submitted,

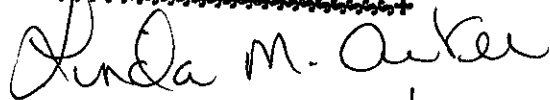
IOWA, CHICAGO & EASTERN RAILROAD

BY:


Steven O. Scharnweber, Vice-President Engineering & Chief Engineer

Given under my hand and Seal this 26 day of February, 2004.




Comm. Exp. 01/09

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February 24, 2004

VIA FACSIMILE (605) 782-1299 and U.S. MAIL

Beth Lynn
Iowa, Chicago & Eastern Railroad Corporation
337 22nd Avenue South
P.O. Box 178
Brookings, South Dakota 57006

Re: *Village of Rockton, Illinois*
Old River Road Crossing

Dear Ms. Lynn:

In response to your letter dated February 11, 2004, the Petitioners have agreed to your request of a ninety (90) day extension of time to install the signals for the crossing located along Old River Road in Rockton, Illinois. Such consent is based on the understanding that you have made arrangements with Alliant Energy to permit access to their parcel during that time period for construction of its substation.

As you are aware, the Order of the Illinois Commerce Commission requires a filing a Petition for Supplemental Order with the Director of Processing no later than twenty-one (21) days in advance of the scheduled deadline. It is our understanding that the Railroad will file such petition with the Commission. If such a Petition is timely filed with due notice given, the Petitioners have no objection to the granting of the Petition so long as the extension does not exceed 90 days from the March 18, 2004 deadline.

Please contact me if you have any questions.

Sincerely,



Robert C. Torbert
Attorney for Petitioners

cc: Dale Adams, Rockton Village President
Carlos Molina, Winnebago County Highway Department
Tom Bach, Alliant Energy
Dennis McMullen, Village Engineer

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Exhibit A

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NOTICE OF FILING

TO: SEE ATTACHED SERVICE LIST

PLEASE TAKE NOTICE that on February 26, 2004. I filed with the
Transportation Division of the Illinois Commerce Commission, 527 East Capitol Avenue,
Springfield, Illinois 62794, the original and one (1) copy of the Iowa, Chicago and
Eastern Railroad Supplemental Petition.

IOWA, CHICAGO & EASTERN RAILROAD

BY: 

Steven O. Scharnweber, Vice-President Engineering & Chief Engineer

Service List

Mr. Dave Lazarides
Transportation Division Dir. Of Processing and Information
Illinois Commerce Commission
527 East Capitol Avenue
Springfield, IL 62701

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Village of Rockton Attorney
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Alliant Energy Corporation
C/o Ronald E. Conard
4902 North Biltmore Lane
P.O. Box 77007
Madison, Wisconsin 53707-1007

Winnebago County
C/o Joe Vanderwerff
424 N. Springfield
Rockford, IL 61101